

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 8/7/2024

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CITY OF NEW YORK,	:	
	:	
Plaintiff,	:	1:24-cv-5161-GHW-JW
	:	
-v-	:	<u>ORDER</u>
	:	
ENVIROMD GROUP LLC, <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	
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GREGORY H. WOODS, United States District Judge:		

Defendants Vape More Inc. and Vape Plus Distribution Corp. (“Vape More Defendants”) seek leave to move to dismiss, Dkt. No. 38, as do Defendants EnviroMD Group LLC, GT Imports, KLCC Wholesale Inc., RZ Smoke Inc., and Urban Smoke Distributors (“EnviroMD Defendants,” and, together with the Vape More Defendants, the “Moving Defendants”), Dkt. No. 43. As stated on the record during the teleconference held on August 6, 2024, the Moving Defendants’ requests for leave to file motions to dismiss the complaint, Dkt. Nos. 38 and 43 respectively, are granted. The deadline for the Moving Defendants to file and serve their respective motions to dismiss is August 16, 2024. Plaintiff’s oppositions are due within twenty-one days after service of the Moving Defendants’ motions; the Moving Defendants’ replies, if any, are due within seven days after service of Plaintiff’s oppositions.

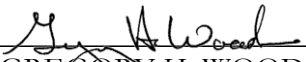
Separately, the Court is in receipt of Plaintiff’s motion for preliminary injunction, Dkt. Nos. 43, 45, which was filed in and pending before the state court before this case was removed. Plaintiff is directed to submit a supplemental brief in further support of its motion for preliminary injunction. Given that the case is now in federal court, Plaintiff’s motion must be considered under the applicable federal law that governs motions for preliminary injunction, including with respect to irreparable harm. Plaintiff’s supplemental brief is due no later than August 21, 2024. Any

oppositions filed by any Defendant(s) are due within fourteen days after service of Plaintiff's motion. Plaintiff's reply to each opposition, if any, is due within seven days after service of the corresponding opposition.

Plaintiff is directed to serve a copy of this order on all defendants who are not represented by counsel in this action and to retain proof of service.

SO ORDERED.

Dated: August 7, 2024
New York, New York



GREGORY H. WOODS
United States District Judge